

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BOBBY JEHU STROUP,

Plaintiff,

v.

T. BISHOP, S. MacARTHUR, L.
 WILLIAMSON, T.D.'AMICO, E.K.
 McDANIEL,

Defendants.

3:07-CV-99-BES-VPC

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge (#42) filed on November 7, 2007, in which the Magistrate Judge recommends that this Court enter an order denying Plaintiff's Motion for a Temporary Restraining Order and/or Preliminary Injunction (Doc #16) filed June 27, 2007. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendations (Doc #44) on November 21, 2007. Defendants filed their Response to Plaintiff's Objections to Magistrate Judge's Report and Recommendations (Doc #46) on December 6, 2007.

Also, before the Court is the Report and Recommendation of the United States Magistrate Judge (Doc #49) filed on December 20, 2007, in which the Magistrate Judge recommends that this Court enter an order granting Defendants' Motion to Dismiss First Amended Complaint (Doc #14) filed on June 15, 2007, Defendants Bishop, D'Amico, and McDaniel's Motion to Dismiss (Doc #17/19) filed July 9, 2007, be granted in part as to Defendant D'Amico and denied in part as to Defendants Bishop and McDaniel; and Plaintiff's Cross Motion for Summary Judgment (Doc #30) be denied. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendation (Doc #51) on January 14, 2008. Defendants

1 filed their Response to Objections to Magistrate Judge's Report and Recommendations (Doc
2 #52) on January 16, 2008.

3 The Court has conducted a *de novo* review of the record in this case, considering fully
4 all relevant matters of record pursuant to 28 U.S.C. § 636(B)(1)(b) and Local Rule IB 3-2.
5 After a review and determination in accordance with the requirements of 28 U.S.C. §636 and
6 applicable case law, and good cause appearing,

7 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
8 Recommendation (Doc #42) entered on November 7, 2007, is adopted and accepted without
9 modification. Thus, in accordance with the Report and Recommendation, Plaintiff's Motion
10 for a Temporary Restraining Order and/or Preliminary Injunction (Doc #16) is DENIED.

11 IT IS FURTHER ORDERED that the Magistrate Judge's Report and Recommendation
12 (Doc #49) entered December 20, 2007, is adopted and accepted without modification. Thus,
13 in accordance with the Report and Recommendation,

14 1. Defendants MacArthur and Williamson's Motion to Dismiss (Doc #14) is GRANTED;

15 2. Defendants Bishop, D'Amico, and McDaniel's Motion to Dismiss (Doc #17/19) be
16 GRANTED IN PART as to Defendant D'Amico and DENIED IN PART as to Defendants Bishop
17 and McDaniel; and

18 3. Plaintiff's Cross-Motion for Summary Judgment (Doc #30) is DENIED.

19 IT IS SO ORDERED.

20 Dated: This 17th day of January, 2008.

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24 BRIAN SANDOVAL
25 United States District Judge
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